

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



REC'D 23 JUL 2004

WIPO PCT

Applicant's or agent's file reference PD020020	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/EP 03/02786	International filing date (day/month/year) 18.03.2003	Priority date (day/month/year) 30.03.2002
International Patent Classification (IPC) or both national classification and IPC H04N5/265		
Applicant THOMSON LICENSING S.A. ET AL.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application

Date of submission of the demand  24.10.2003	Date of completion of this report  23.07.2004
Name and mailing address of the international preliminary examining authority:   European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer  Didierlaurent, P  Telephone No. +31 70 340-3438 

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/EP 03/02786

## I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

### Description, Pages

1-7 as originally filed

### Claims, Numbers

1-9 as originally filed

### Drawings, Sheets

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
  - ☐ the language of publication of the international application (under Rule 48.3(b)).
  - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
  - ☐ filed together with the international application in computer readable form.
  - ☐ furnished subsequently to this Authority in written form.
  - ☐ furnished subsequently to this Authority in computer readable form.
  - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
  - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. The amendments have resulted in the cancellation of:
- ☐ the description, pages:
  - ☐ the claims, Nos.:
  - ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).  
*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	
	No: Claims	1-9
Inventive step (IS)	Yes: Claims	
	No: Claims	1-9
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

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**Re Item V**

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

Reference is made to the following document:

D1: US-A-5 359 712 (MILLS MICHAEL ET AL) 25 October 1994 (1994-10-25)

The present application does not meet the requirements of Art. 33(2) PCT because the subject-matter of claims 1-9 lacks novelty.

For claim 1

D1 discloses a signal processing apparatus having at least one cross-fading device for cross-fading signals, in which a plurality of inputs for receiving input signals are provided and in which an output signal can be tapped off at an output (see Fig.3 and col. 3, line 59 - col. 4, line 2) and having a control apparatus (computer system in Fig.3) for controlling the cross-fading device, characterized in that the control apparatus has an input means (user interface at col. 9, line 55 - col 10, line 53) for inputting a specific cross-fading function (curves 1505 and 1510 at col. 37, line 65 - col 38, line 18) for each input signal to be cross-faded.

For claim 2

D1 discloses a signal processing apparatus, characterized in that the cross-fading function assigned by inputting to each input signal to be cross-faded can be written to a store (possibility to store the curves 1505 and 1510 individually at col.37, line 65 - col. 38, line 4) and can be read from the store for a cross-fading operation.

For claim 3

D1 discloses a signal processing apparatus, characterized in that the start time and the end time of the cross-fading function assigned to an input signal can be defined within a cross-fading interval (see at col.40, line 44 - col. 41, line 11 where the user can designate for each audio signal a temporal portion to be used in the transition).

For claim 4

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D1 discloses a signal processing apparatus, characterized in that the direction (slope of the curve defined by the user at col.38, lines 7-8 or col.40, lines 7-22) of the fading profile can be chosen within the cross-fading interval.

**For claim 5**

D1 discloses a signal processing apparatus, characterized in that a means (defining the shape of the curve at col.40, lines 7-22) for inputting a linear and/or nonlinear profile of the cross-fading function for each input signal is provided.

**For claim 6**

D1 discloses a signal processing apparatus, characterized in that the input signals can be additively cross-faded in a manner dependent on defined assigned cross-fading functions (see at col.38, lines 2-4 where the two resources, i.e. the two curves can be handled as one resource. See also in Fig.14, templates 1411,1415 and 1421).

**For claim 7**

D1 discloses a signal processing apparatus, characterized in that the input means for inputting specific cross-fading functions has a graphical user interface (see the curves in Fig. 15 and how the corresponding templates are created at col.37, line 53 - col.38, line 9).

**For claim 8**

D1 discloses a signal processing apparatus, characterized by a graphical user interface having

- a representation (fig. 23a) of the time base of the input signals to be cross-faded within the cross-fading interval and/or
- a representation (fig. 15a-15c) of the profiles of the cross-fading functions of the input signals to be cross-faded within the cross-fading interval and/or
- a representation (fig. 14, templates 1411,1415 and 1421) of the additive cross-fading of the input signals to be cross-faded within the cross-fading interval.

**For claim 9**

D1 discloses a method for processing signals, in which a plurality of input signals are cross-faded in a control-dependent manner in order to generate an output signal, characterized in that each input signal to be cross-faded is assigned a specific cross-fading function (col. 3, lines 59-68 and Fig. 15a-15c)

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Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.